

(2000 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13-201 and 13-202(b)

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)

BY adding to

Article – Transportation

Section 13-202(e)

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9-102(a)(52) through (59), (61) through (63), and (65) through (80), respectively, of the Commercial Law Article of the Annotated Code of Maryland, as enacted by Chapter 282 of the Acts of the General Assembly of 1999, be renumbered to be Section(s) 9-102(a)(53) through (60), (62) through (64), and (66) through (81), respectively.

~~SECTION 1. AND BE IT FURTHER ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~ That the Laws of Maryland read as follows:

#### **Article – Commercial Law**

2-502.

(1) Subject to subsections (2) and (3) and even though the goods have not been shipped a buyer who has paid a part or all of the price of goods in which he has a special property under the provisions of the immediately preceding section may on making and keeping good a tender of any unpaid portions of their price recover them from the seller if:

(a) In the case of goods bought for personal, family, or household purposes, the seller repudiates or fails to deliver as required by the contract; or

(b) In [other] ALL cases, the seller becomes insolvent within ten days after a receipt of the first installment on their price.

(2) The buyer's right to recover the goods under subsection (1)(a) vests upon acquisition of a special property, even if the seller had not then repudiated or failed to deliver.

(3) If the identification creating his special property has been made by the buyer he acquires the right to recover the goods only if they conform to the contract for sale.